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October 5, 2015

VIA ECF

The Honorable Ronnie Abrams, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: **Gonzalez v. Citibank, N.A.**
Civil Action No. 15-cv-6048 (RA)

Dear Judge Abrams:

We represent Defendant Citibank, N.A. ("Citibank") in the above-captioned action. Citibank respectfully requests an adjournment of the initial status conference currently scheduled for October 16, 2015, and an extension to file the (1) joint letter and (2) proposed Case Management Plan and Scheduling Order, both currently due one week prior to the conference, on October 9, 2015.

Citibank executed a waiver of service at Plaintiff's request, and under Fed. R. Civ. P. 4(d)(3), its deadline to answer or otherwise move is therefore 60 days from the date the waiver request was sent, or October 26, 2015.¹ As Citibank's investigation of the facts and development of a response to the complaint are ongoing, Citibank is not currently in a position to provide meaningful responses to the items listed in the Court's Order and Notice of Initial Conference [Dkt. No. 5], and the parties have not yet held a Rule 26(f) conference. Moreover, Citibank anticipates filing a motion to stay Plaintiff's action in favor of arbitration and, if necessary, to compel arbitration.

Citibank requests that the status conference be adjourned to November 20, 2015, with the joint letter and proposed order due from the parties on November 13, 2015. These dates would permit the parties to hold their Rule 26(f) conference after Plaintiff has had the benefit of

¹ A copy of Citibank's signed waiver of service form is attached hereto as Exhibit A.

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Citibank's response to the complaint, and to submit the proposed Case Management Plan and Scheduling Order to the Court within the time required by that rule. These dates would also preserve the Court's ability to issue a scheduling order within the time set forth in Rule 16(b)(2).

Citibank has made no previous requests for adjournments or extensions of time, and counsel for Plaintiff consents to this request, including the proposed dates stated above.

Respectfully submitted,

s/Megan L. Wiggins

Megan L. Wiggins

Attachment

cc: Sameer S. Birring, Esq. (via ECF)